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San Francisco, CA 94102-3688
www.courtinfo.ca.gov

415-865-7740

Lynn Holton
Public Information Officer

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Supreme Court Denies Petition for Habeas Corpus in Stanley Williams Case

San Francisco—The California Supreme Court today denied a petition for writ of habeas corpus that was filed Saturday, December 10, by death row inmate Stanley Williams, and denied a request for a stay of the execution of Mr. Williams, which is currently scheduled for Tuesday, December 13.

The petition (S139526) sought relief from the death penalty judgment in *People v. Williams* (1988) 44 Cal.3d 1127.

The Supreme Court denied the petition by a unanimous vote.

Mr. Williams's petition for writ of habeas corpus, filed yesterday at 7:20 p.m., was his fifth habeas corpus petition in the California Supreme Court, along with a request for a stay. The 132-page petition, raising nine claims, relies upon nearly 1,750 pages of more than 120 exhibits.

The court sought and received from the Attorney General (AG) an informal response, which was filed at 7:50 a.m. today. The response is 28 pages, accompanied by approximately 700 pages of exhibits; the AG also filed a separate 5-page opposition to the stay request. The court sought and received from petitioner an 18-page reply to the informal response (accompanied by 12 pages of supplemental exhibits), which was filed at 12 noon today.

The nine claims raised in the petition for a writ of habeas corpus are as follows:

A. "Claim One": The prosecution failed to disclose that the shotgun evidence introduced at trial was unreliable under standard firearm examination techniques.

B. "Claim Two": Asserted ineffective assistance of trial counsel for failure to retain his own expert to evaluate and test the firearms evidence.

(over)

C. “Claim Three”: The prosecution improperly failed to disclose witness James Garrett’s alleged involvement in the homicide of Gregory Wilbon and Garrett’s asserted responsibility for the motel murders.

D. “Claim Four”: Asserted false and/or perjured testimony of Deputy Sheriff Gwaltney concerning Garrett’s alibi for the Wilbon homicide, and petitioner’s asserted actual innocence of the motel murders.

E. “Claim Five”: The prosecution improperly failed to disclose impeachment evidence concerning witness Alfred Coward (that is, Coward’s Canadian citizenship, and his prior prosecutions for violent crimes).

F. “Claim Six”: The prosecution improperly failed to disclose that petitioner was forcibly and continuously drugged while awaiting trial and during trial with powerful tranquilizers, etc., thus allowing jailhouse informant Oglesby to manipulate and trick petitioner into writing escape plan notes.

G. “Claim Seven”: The drugging described in “Claim Six” rendered petitioner incompetent to stand trial.

H. “Claim Eight”: The drugging described in “Claim Six” rendered petitioner vulnerable to manipulation by jailhouse informant Oglesby and unable to comprehend the proceedings and/or assist trial counsel.

I. “Claim Nine”: The prosecutor improperly failed to disclose that he assertedly promised witnesses Coward, Garrett, and Coleman that if “they got into trouble with the law after petitioner’s trial he would inform the appropriate authorities that they had testified against petitioner with the consequence that they could continue to commit violent and other crimes, knowing they would suffer no meaningful consequences for their crimes.”

An electronic copy of the court's order is attached.

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Filed Dec. 11, 2005
(at 7:48 p.m.)

No. S139526

IN THE SUPREME COURT OF CALIFORNIA

En Banc

In re STANLEY WILLIAMS on Habeas Corpus

Petitioner's fifth petition for a writ of habeas corpus and request for stay of execution, filed Saturday, December 10, 2005, at 7:20 p.m., and raising nine claims, having come before all six of the present members of this court, is denied as follows.

Claims "One" through "Nine" are denied on the merits. In addition, each claim also is barred as untimely and successive. (*In re Robbins* (1998) 18 Cal.4th 770, 780-781[untimeliness], 788, fn. 9 [successiveness]; *In re Clark* (1993) 5 Cal.4th 750, 767-768 [successiveness].)

George

Chief Justice